

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

<hr style="border-top: 1px dashed black;"/> In re:	:	Chapter 11
	:	
Circuit City Stores, Inc., <u>et al.</u>	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	
<hr style="border-top: 1px dashed black;"/>		

**MOTION TO APPEAR *PRO HAC VICE* PURSUANT
TO LOCAL BANKRUPTCY RULE 2090-1(E)(2)**

William A. Gray, Esquire (the "**Movant**"), a member in good standing of the bar of, and admitted to practice in, the Commonwealth of Virginia, and admitted to practice before, among other courts, the United States Bankruptcy Court for the Eastern District of Virginia (the "**Court**"), and a counsel with Sands Anderson Marks & Miller, P.C. hereby moves (the "**Motion**") this Court to enter an order, the proposed form of which is attached hereto as Exhibit A, authorizing Peter D. Bilowz (the "**Admittee**") to appear *pro hac vice* before this Court to represent Ray Mucci's, Inc., Route 146 Millbury, LLC, Interstate Augusta Properties, LLC, E&A Northeast Limited Partnership, and NPP Development (together, the "Clients") in the above-captioned chapter 11 bankruptcy cases pursuant to Rule 2090-1(E)(2) of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the "**Local Bankruptcy Rules**"). In support of the Motion, the Movant states as follows:

1. Mr. Bilowz is an associate of Goulston & Storrs, P.C., 400 Atlantic Ave., Boston, Massachusetts 02110-3333. He is a member in good standing of the bar of the Commonwealth

William A. Gray, Esquire - VSB No. 46911
C. Thomas Ebel, Esquire - VSB No. 18637
Peter M. Pearl, Esquire - VSB No. 22344
Lisa Taylor Hudson, Esquire - VSB No. 45484
Sands, Anderson, Marks & Miller, P.C.
801 East Main Street, Suite 1800
(P.O. Box 1998)
Richmond, Virginia 23219 (23218-1998)
Phone: (804) 783-7237
Fax: (804) 783-7291

*Attorney for Ray Mucci's, Inc., Route 146 Millbury, LLC,
Interstate Augusta Properties, LLC, E&A Northeast Limited Partnership,
and NPP Development*

of Massachusetts and admitted to practice before the United States District Court for the District of Massachusetts. There are no disciplinary proceedings pending in any court against him.

2. The Movant requests that this Court grant this Motion so that the Admittee may appear and be heard at hearings in these chapter 11 cases, and related Adversary Proceedings involving Ray Mucci's, Inc., Route 146 Millbury, LLC, Interstate Augusta Properties, LLC, E & A Northeast Limited Partnership, and NPP Development.

WAIVER OF MEMORANDUM OF LAW

3. Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in this Motion, the Movant requests that this Court waive the requirement that all motions be accompanied by a written memorandum of law.

NO PRIOR REQUEST

4. No prior request for the relief sought herein has been made to this Court in these bankruptcy cases or to any other court.

WHEREFORE, the Movant respectfully requests that this Court enter an order, substantially in the form attached hereto as Exhibit A: (i) authorizing the Admittee to appear *pro hac vice* in association with the Movant as attorneys for Clients, and (ii) granting such other and further relief as is just and proper.

Dated: Richmond, Virginia
December 4, 2008

/s/ William A. Gray
William A. Gray, Esquire – VSB No. 46911
C. Thomas Ebel, Esquire - VSB No. 18637
Peter M. Pearl, Esquire – VSB No. 22344
Lisa Taylor Hudson, Esquire – VSB No. 45484
Sands, Anderson, Marks & Miller, P.C.
801 East Main Street, Suite 1800
(P.O. Box 1998)
Richmond, Virginia 23219 (23218-1998)
Phone: (804) 783-7237
Fax: (804) 783-7291
*Attorneys for Attorney for Ray Mucci's, Inc.,
Route 146 Millbury, LLC, Interstate Augusta Properties,
LLC, E&A Northeast Limited Partnership, and NPP
Development*

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of December, 2008, a true and accurate copy of the foregoing was electronically filed with the Clerk of the Bankruptcy Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which thereby caused the above to be served electronically on all registered users of the ECF system that have filed notices of appearance in this matter, and was mailed, by U.S. Mail, first class, postage prepaid, to all persons on the attached Service List.

SERVICE LIST

Daniel F. Blanks, Esquire
Douglas M. Foley, Esquire
McGuire Woods LLP
9000 World Trade Center
101 W. Main Street
Norfolk, VA 23510

ATTORNEYS FOR DEBTORS

Dion W. Hayes, Esquire
James S. Sheerin, Esquire
Sarah Beckett Boehm, Esquire
McGuire Woods LLP
One James Center
901 E. Cary Street
Richmond, VA 23219

ATTORNEYS FOR DEBTORS

Gregg M. Galardi, Esquire
Skadden Arps Slate Meagher & Flom, LLC
One Rodney Square
Post Office Box 636
Wilmington, Delaware 19899-0636

ATTORNEYS FOR DEBTORS

Chris L. Dickerson, Esquire
Skadden Arps Slate Meagher & Flom, LLC
333 West Wacker Drive
Chicago, IL 60606

ATTORNEYS FOR DEBTORS

Robert Van Arsdale, Esquire
Assistant U.S. Trustee
Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219

OFFICE OF U.S. TRUSTEE

Linda K. Myers, Esquire
Kirkland & Ellis, LLP
200 East Randolph Drive
Chicago, Illinois 60601

SPECIAL COUNSEL FOR DEBTORS

David S. Berman, Esquire
Riemer & Braunstein, LLP
Three Center Plaza, 6th Floor
Boston, Massachusetts 02108

COUNSEL FOR BANK OF AMERICA, N.A.

Bruce Matson, Esquire
LeClair Ryan
Riverfront Plaza, East Tower
951 East Byrd Street, 8th Floor
Richmond, Virginia 23219

COUNSEL FOR BANK OF
BANK OF AMERICA, N.A.

Lynn L. Tavenner, Esquire
Tavenner & Beran, PLC
20 North Eighth Street, Second Floor
Richmond, Virginia 23219

COUNSEL FOR THE OFFICIAL
COMMITTEE OF
UNSECURED CREDITORS

/s/ William A. Gray

Exhibit "A"

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:	:	Chapter 11
	:	
Circuit City Stores, Inc., <u>et al.</u> ,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	

ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE* PURSUANT TO
LOCAL BANKRUPTCY RULE 2090-1(E)(2)

THIS MATTER having come before the Court upon the Motion to Appear *Pro Hac Vice* Pursuant to Local Bankruptcy Rule 2090-1(E)(2) (the "**Motion**")¹ of William A. Gray, counsel with the law firm of Sands Anderson Marks & Miller, P.C. for the admission *pro hac vice* of Peter D. Bilowz, the Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) the relief requested in the Motion is in the best interests of the Debtors, their estates, and their creditors, (iv) proper and adequate notice of the Motion has been given and that no other or further notice is necessary, and (v) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due

¹ Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Motion.

William A. Gray, Esquire (VSB No. 46911)
C. Thomas Ebel, Esquire (VSB No. 18637)
Peter M. Pearl, Esquire (VSB No. 22344)
Lisa Taylor Hudson, Esquire (VSB No. 45484)
Sands, Anderson, Marks & Miller, P.C.
801 East Main Street, Suite 1800
(P.O. Box 1998)
Richmond, Virginia 23219 (23218-1998)
Phone: (804) 783-7237
Fax: (804) 783-7291
*Attorney for Ray Mucci's, Inc., Route 146 Millbury, LLC,
Interstate Augusta Properties, LLC, E&A Northeast Limited Partnership,
and NPP Development*

deliberation upon the Motion and all of the proceedings had before the Court in connection with the Motion.

Therefore, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is **GRANTED**;
2. Peter D. Bilowz is permitted to appear *pro hac vice* as counsel to Ray Mucci's, Inc., Route 146 Millbury, LLC, Interstate Augusta Properties, LLC, E&A Northeast Limited Partnership, and NPP Development in the above-captioned chapter 11 cases in accordance with Local Bankruptcy Rule 2090-1(E)(2);
3. The Clerk is requested to send attested copies of this Order after entry, to all counsel and parties of records.

ENTERED ON DOCKET: ____ / ____ / ____

Kevin R. Huennekens, Judge
United States District Court
Eastern District of Virginia
Richmond Division

WE ASK FOR THIS:

/s/ William A. Gray _____
William A. Gray, Esquire (VSB No. 46911)
C. Thomas Ebel, Esquire (VSB No. 18637)
Peter M. Pearl, Esquire (VSB #22344)
Lisa Taylor Hudson, Esquire (VSB #45484)
Sands Anderson Marks & Miller
801 E. Main Street, Suite 1800
P.O. Box 1998
Richmond, Virginia 23218-1998
Phone: (804) 783-7237
Fax: (803) 783-7291
*Attorney for Ray Mucci's, Inc., Route 146 Millbury, LLC,
Interstate Augusta Properties, LLC, E&A Northeast Limited Partnership,
and NPP Development*

LOCAL BANKRUPTCY RULE 9022-1(C) CERTIFICATION

Pursuant to Local Bankruptcy Rule 9022-1 (C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ William A. Gray _____